

COUNCIL AGENDA ITEM # ____ FOR
TUESDAY, MARCH 2ND, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM
February 12, 2004

CITY CLERK'S OFFICE
2004 FEB 25 AM 9 28

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 10217 Shipley Avenue (Rep. District #3)

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated October 1st, 2003. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Luvania L. Nunez, 10000 Honolulu Drive, El Paso, Texas 79925 on October 2nd, 2003.
- 3) Certified notices of the public hearing scheduled March 2nd, 2004 were mailed to the owners and all interested parties on February 6th, 2004.
- 4) As of February 9th, 2004, \$3,682.67 are owed in taxes.
- 5) There has been insufficient response from the owner.

The Department recommends that it be found:

- 1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structures can not be repaired; and
- 5) That the main structure and accessory building be demolished within 30 days; and
- 6) That the premises be cleaned and maintained clean of all weeds, trash, and debris within 30 days.

JOE WARDY
MAYOR



BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
October 2, 2003

Luvania L. Nunez
10000 Honolulu Dr.
El Paso, Texas 79925

Re: 10217 Shipley Ave.
Lots: 17 & E 2 Ft. of 18
Blk: 50, Scotsdale #4
Zoned: R-3
COD03-13220
Certified Mail Receipt #
7003 1010 0004 5303 9329

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or
- c. Boarded up, fenced, or otherwise secured in any manner in if:

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
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DISTRICT NO. 5

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DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

10217 Shipley Avenue

- i. The building constitutes a danger to the public even though secured entry, or
- ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 10217 Shipley Avenue has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within thirty (30) days from receipt of this letter.
- l. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

10217 Shipley Avenue

- m. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

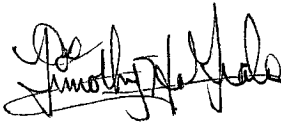
If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

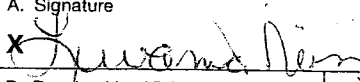
Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Timothy H. Grabe
Building Inspector

THG/rl

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <u>T6</u> Luvania L. Nunez 10000 Honolulu Dr. El Paso, Texas 79925 Re: 10217 Shipley Ave. <u>Lt #3</u>		B. Received by (Printed Name) <u>L Nunez</u> C. Date of Delivery <u>10-03-03</u> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <u>7003 1010 0004 5303 9329</u>	
PS Form 3811, August 2001		Domestic Return Receipt	
		102595-01-M-2509	

7003 1010 0004 5303 9329

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage \$	<u>T6</u>
Certified Fee	
Return Receipt Fee (Endorsement Required)	OCT 02 2003
Restricted Delivery Fee (Endorsement Required)	

Luvania L. Nunez
10000 Honolulu Dr.
El Paso, Texas 79925
Re: 10217 Shipley Ave.

Postmark Here



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: October 1st, 2003
ADDRESS: 10217 Shipley Ave.

REP. DISTRICT #3
ZONED: R-3

LEGAL DESCRIPTION: 17 & E 2 FT OF 18, BLOCK 50, SCOTTSDALE #4

OWNER: Luvania Nunez **ADDRESS:** 10000 Honolulu Dr., El Paso, Texas 79924

BUILDING USE: Single-family dwelling.

TYPE OF CONSTRUCTION: IV

FOOTINGS: Fair, reinforced concrete.
CONDITION: N/A

FOUNDATION WALL: N/A
CONDITION: N/A

FLOOR STRUCTURE: Slab on grade.
CONDITION: Floor covered with debris, unable to determine if defects exist.

EXTERIOR WALLS: Wood frame, brick veneer.
HEIGHT: 8' **THICKNESS:** 8"
CONDITION:

INTERIOR WALLS & CEILINGS: Wood frame, sheetrock.
CONDITION: Smoke, fire and water damaged.

ROOF STRUCTURE: Wood frame, asphalt shingles.
CONDITION: Extensive fire damage has been sustained.

DOORS, WINDOWS, ETC.: Aluminum sliding windows, wood doors.
CONDITION: Very poor, all of the doors and windows have been damaged or destroyed as a result of a serious fire. New code compliant units must be installed.

MEANS OF EGRESS: Up to code.
CONDITION: Poor

PLUMBING: Disconnected, must be evaluated by a licensed Plumber and brought up to code.

ELECTRICAL: Disconnected, a licensed Electrician must restore the system to code.

MECHANICAL: Non-functional, the system must be brought up to code by a licensed HVAC Contractor.

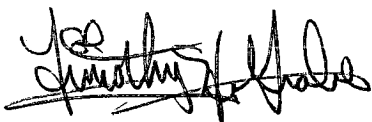
IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: 0

WARNING POSTED: No

BARRICADED: No

POLICE AID REQD.: No

REMARKS: Recent fire has destroyed more than 70% of main structure. Accessory structure is non-permitted. We recommend demolition of main and accessory structures, or a complete rehabilitation of the main structure according to applicable code and legalization of the accessory building.

A handwritten signature in black ink, appearing to read 'Timothy H. Grabe', written over a horizontal line.

Timothy H. Grabe
Building Inspector

**EL PASO CITY COUNTY HEALTH DISTRICT
ENVIRONMENTAL HEALTH SERVICES**

M E M O R A N D U M

DATE : 10-20-03

MEMO TO : Tom Maguire, Housing Compliance Supervisor

FROM : Ben Blumenfeld, Environmental Health Inspector

SUBJECT : Condemnation Report Request

RE : 10217 Shipley.

An inspection of the property was conducted on 10-20-03 and the conditions checked were found in violation of Title 9 – Health and Safety, El Paso Municipal Code.

Section 9.04 - SOLID WASTE STORAGE AREA:
Trash was noted in the front and back yard

SECTION 9.04.340 – ACCUMULATIONS:
Junk and debri was also noted.

SECTION 9.16 - NUISANCE:
Tall weeds were noted.

SECTION 9.16.010 – DESIGNATED:
Heavy fire damage was noted thourghout the house& roof .

SECTION 9.28 – RAT CONTROL:
N/A

If you require additional assistance on this matter, please call me at 543-

File Edit Options Window Help

Exit New Open Task List QBE

Close View Add Delete Sign Off Print Documents

View / Edit Activity

Name: HUNEZ, PETE JR & LUVANIA L Updated: 8/22/2003 RL

Address: 10217 SHIPLEY

Description: Master #: COD03-13220 Project:

Open and abandoned

General

Category

rel

Complainant

Complaint Submitted

Co

v

Responsible

Activity: 0040 Desc: Refer to Fire Updated: 12/19/2003 933

Disposition: Hold Level: No hold

Dates

Date Referred: 10/16/2003

Date Received: 10/16/2003

Date Completed: 12/19/2003

Calendar Tag: FDCM

Report Tag:

Assigned To: 903

Done By: 933

Notes:
structure is open and unsecured, has heavy fire damage. there is trash and debris, brush and over growth, and is filled with combustibles. structure is a life, health and safety hazard. structure must be secure until demolition can be carried out.

Edit

Sign Off

Date 2

OK

Help